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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,900	07/09/2003	Masahiro Hara	11-169	8446
23400	7590	09/22/2004	EXAMINER LE, UYEN CHAU N	
POSZ & BETHARDS, PLC 11250 ROGER BACON DRIVE SUITE 10 RESTON, VA 20190			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/614,900	HARA, MASAHIRO	
	Examiner	Art Unit	
	Uyen-Chau N. Le	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6 and 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 and 14-16 is/are allowed.
- 6) ☒ Claim(s) 6 and 9-12 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prelim. Amdt/Amendment

1. Receipt is acknowledged of the Amendment filed 15 June 2004.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (US 5,481,103) in view of Takeda et al (US 5,047,868).

Re claim 6, Wang discloses a method comprising dividing an information code 10 into a plurality of partial information codes; wherein each of the plurality of partial images includes a code indicating one or more of a dividing number and an order of each (fig. 1; col. 4, lines 5+).

Wang fails to teach or fairly suggest displaying a plurality of partial images on succession indicating the plurality of partial information codes respectively.

Takeda et al teaches a plurality of images are displayed within a time interval that specified by an operator (fig. 14; col. 13, lines 13+) and a plurality of partial images divided from an original image (figs. 3 & 6; col. 6, lines 1+ and col. 8, lines 8+).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Takeda et al into the teachings of Wang in order to

provide Wang with a more accurate system wherein the operator has the ability to view a complete image (i.e., each partial images of an original image) before proceeding to a next procedure (e.g., print out), and therefore an obvious expedient.

4. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang as modified by Takeda et al as applied to claim 6 above, and further in view of Moed et al (US 5,770,841). The teachings of Wang as modified by Takeda et al have been discussed above.

Re claims 9-10, Wang/Takeda et al have been discussed above but fail to teach or fairly suggest that the displaying the plurality of partial images includes displaying the each of the plurality of partial images after rotating the each by a predetermined angle, moving the each in parallel by a predetermined distance, respectively.

Moed et al teaches a method for displaying an image of information code for a commercial transaction wherein each image is rotating by a predetermined angle (e.g., ± 7 degrees) (col. 12, lines 24+ and 40+), moving the image in parallel (e.g., horizontally) (col. 12, lines 24+ and 40+), respectively.

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Moed et al into the system as taught by Wang/Takeda et al in order to provide Wang/Takeda et al with a more accurate system, in which the operator has the ability to view a complete image in various positions (i.e., rotating, moving, etc.) to obtain an accurate result.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang as modified by Takeda et al as applied to claim 6 above, and further in view of Wang et al (US 5,659,167). The teachings of Wang as modified by Takeda et al have been discussed above.

Re claim 11, Wang as modified by Takeda et al have been discussed above but fail to teach or fairly suggest that the changing step is a step for changing a size of the image.

Wang et al teaches an operator has a capability to modify the displayed image including adjusting the size of the image (figs. 1-2; col. 3, line 47 through col. 5, line 59; especially col. 5, lines 42+).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Wang et al into the system as taught by Wang/Takeda et al in order to provide Wang/Takeda et al with a more accurate system by providing a clear visually image, which would provides the operator a greater capability in aligning and scanning the code image (Wang et al: col. 5, lines 50-59).

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang as modified by Takeda et al as applied to claim 6 above, and further in view of Barber et al (US 6,637,658). The teachings of Wang as modified by Takeda et al have been discussed above.

Re claim 12, Wang/Takeda et al have been discussed above but fail to teach or fairly suggest that the method further comprises the steps of: reading optically the partial images, decoding the partial images, and combining the decoded partial images in order that the original image is decoded.

Barber et al teaches a method of optically reading and decoding a partial code image (col. 1, lines 34+ and col. 2, lines 51+).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Barber et al into the teachings of Wang/Takeda et al in order to provide Wang/Takeda et al with a more advance system wherein the code image can be decoded one part at a time as it passing through the reader, and thus providing a faster system

because the code image/package does not have to stop at the reader to provide a complete image, which would delay a whole system.

Allowable Subject Matter

7. Claims 1-4 and 14-16 are allowed.

8. The following is an examiner's statement of reasons for allowance:

The prior art of records to Wang, Takeda et al, Wang et al, Barber et al and all other cited references, taken alone or in combination, fails to teach or fairly suggest the specific structure or the method comprising, among other things, optically reading the information code from one of the displayed plurality of images, a part of the information code displayed in a portion of the display other than an unrecognizable portion, the information code being obtained when the part of the information code from another of the displayed plurality of images, the another part of the information code displayed in the unrecognizable portion, is not optically read as set forth in the claims combinations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of records to Wang, Takeda et al, Wang et al, Barber et al and all other cited references, taken alone or in combination, fails to teach or fairly suggest the specific structure or the method comprising, among other things, optically reading the information code from one of the displayed plurality of images, a part of the information code displayed in a portion of the display other than an unrecognizable portion, the information code being obtained when the part of the information code from another of the displayed plurality of images, the another part of the information code displayed in the unrecognizable portion, is not optically read as set forth in the claims combinations.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patents to Yoda et al (US 4,254,400); Arai et al (US 4,459,611); Bohrer et al (US 4,481,602); Kato (US 4,633,506); Oashi et al (US 5,767,845); Matsufusa (US 5,835,100); Yamada (US 6,587,216); Sakai et al (US 6,735,740); Chiba et al (US 6,744,537); Fukuda et al (US 5,631,457); Takeuchi et al (US 6,722,565) are cited as of interest and illustrate to a similar structure of a method for displaying and reading information code for commercial transaction.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on Mon, Wed. and Fri. 5:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL G LEE can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Uyen-Chau N. Le
September 7, 2004



KARL D. FRECH
PRIMARY EXAMINER